

State Program Standing Committee

November 20, 2014

Location: VT Association for the Blind and Visually Impaired, Williston, VT

Members present: Bethany Drum, Edward Place, Julie Cunningham, Joe Greenwald, Theresa Wood, Connie Woodbury, Nicole LeBlanc (by phone), Anne Bakeman, Barbara Prine, Greg Mairs, Emily Anderson

Members absent: Kyle Moriarty, Max Barrows, Linda Berger, Susan Yuan

Guest & Staff: Camille George, June Bascom, Jennifer Gibb, Cathy Hull, Bart Mairs, Lisa Maynes, Marlys Waller, Kay Stambler, Joy (Transition II), Mark Utter, Karen Schwartz

Meeting commenced: 9:35 a.m.

Minutes: Theresa Wood summarized October 2014 minutes, to include; budget, audit, healthcare reform, children with disabilities, equity and public safety. Connie Woodbury motioned to accept with amendment. Ed Place seconded the motion. Minutes approved with amendment.

Jeanine Morse needs to be added to the Oct guest list.

Announcement:

Nicole LeBlanc announced there is a current vacancy for an advocate on the DAIL Advisory Board for anyone who may be interested.

Discussion Topics:

One Time Funding Report

One Time Funding comes from global commitment dollars. At any time during the fiscal year, when consumers are awarded new caseload funding from Equity or Public Safety, the full year's allocation is funded (i.e., annualized) to assure the full amount needed will be there the next fiscal year. For example, if someone comes in Jan 2nd they get the full allocation, but they will only use one-half of it this year. The unused funds from the first part of the year are held aside by DAIL and become available for one time use.

DAIL makes awards to the DA/SSAs based on the number of people they served the previous year. One time funding is allocated to the DA/SSAs at the end of the fiscal year which they can then spend into the next fiscal year.

A report on one-time funds was provided in advance of the meeting. The chart displays the amount of one time dollars awarded in FY13 and how much was spent by DA/SSA. The handout also provides a break out of how the funding was spent (i.e., services, crisis, respite, accessibility, DME, rent, vision, personal needs). Providers are spending FY14 dollars now (in FY 15), so a report will be generated after the close of the current State Fiscal Year.

Theresa reminded members that the State System of Care Plan governs how one-time money can be spent and suggested members look at the SOCP to see what types of things funding may be spent on compared to how it was actually spent. One-time dollars can be carried over from one fiscal year to another. Most people who are eligible for Flexible Family Funding receive an allocation, but for families who end up on a waiting list for FFF, one-time dollars are used to fill in the gap. People apply through their provider and report back to them as to how the funds are used and DAs/SSAs report this information to DDSD. Theresa noted this information could be used for advocacy to help demonstrate that it is needed, particularly since the first FY 15 budget cut reduced one time dollars and a second cut may reduce it further. It was also suggested that a consistent format for agency reporting be adopted by DDSD to enable comparisons from year-to-year and from agency-to-agency. All one-time dollars should only be used to pay for things that are not otherwise able to be paid for by Medicaid funding or other resources available to meet the need.

A member was concerned that funding for this program has the potential to be a part of the FY16 proposed budget cut. Camille stated that the budget is still a work in progress and nothing is finalized yet. The amount of one-time funding has varied over the years; and the average funding allocations over time has been around \$750,000. Another member expressed concerns about how the smaller amounts allocated for one time funding (i.e., camp) should be understood as being a form of respite and can prevent crisis from happening. Advocates need to highlight the benefits of this program to provide the human quotient to the need for continued funding.

It was noted that the current funding process for new and existing consumers goes through the Statewide Equity and Public Safety Funding Committees for their recommendations to DDSD. The costs incurred during pending period (i.e., needs leading up to the approval of a funding requests) are not covered and sometimes one-time funds can be used to fill this gap.

The One Time Funding Report showed all the allocations over the last few years. These expenditures fall under the "DS Special Payments" MCO Investment Umbrella. For example, the expenses shown for Eagle Eye and Crotched Mountain were for services not covered by the DS waiver; and a member noted that Medicaid sometimes pays for these types of services. Theresa noted that uses of one-time funding need to be in accordance with the State System of Care Plan and that use of DS funding for institutional placements is not an authorized use. Funding to the Vermont Communication Project (Disability Right Grant) included funding from other departments (DMH and DCF) and provides support those who are in court proceedings and who need help to understand the court process. A member expressed concerns over the miscellaneous category and asked DAIL to provide additional details about how these funds were used. Discretionary funding is used and approved by the DDSD Director or DAIL Commissioner for funding. Members expressed concerned about funding that fell outside the SOCP and

would like more details about the process of submission and approval of this funding stream. A member would like to know how the system will work if the funding is cut and how much would go to consumers versus being reallocated elsewhere. One-time funding is also used for special initiatives that promote the values in the DD Act.

DDS Imagine the Future Task Force Report

Camille thanked June and Jenn for working on the Task Force Report. The Task Force was an idea generated by Commissioner Wehry, who wanted to look ahead after the 20 year after the closing of the Brandon Training School. She also wanted to plan for the next 20 years and what services to consumers would look like. Looking closely at how we maintain and continue to support DAIL's mission and future. Page 2 of the report shows a wide range of collaboration across developmental services to work on the task force for a 360 degree vision. The introduction summarizes the dedication to the mission. The group came together and went through a process of storming and norming about the future and worked hard to align a united vision. There were many obstacles such as the future of health reform and eligibility requirements. Subcommittees were formed to look at specific areas such as housing and how to support supervised living, utilization of technology and how we envision employment, not to replace the current model of supported employment, but to offer another option. The Task Force also examined Vermont's current DD Act – examining the vision and whether to recommend any changes to accommodate the future vision. The Task Force decided at this time not to make any recommendations about changes to the DD Act. To summarize some of the key findings and recommendations, the Task Force felt family management, documenting population trends, establishing best practices for meeting the needs of those with developmental disabilities (i.e. autism, public safety, new Americans) were important to do. This discussion is important when considering funding and tailoring approaches in the future. Quality improvement bridged all of the discussions and supported ensuring adequate resources and oversight in regard to having a relationship/partnership with providers around training and supports. Other factors around eligibility, serving adults and children were examined. The task force suggested if any changes were made to eligibility, more detailed analysis and much more public input should be considered.

Health reform generated many concerns of the Task Force (highlighted in a letter to the Commissioner). In summary, health reform is not something that should be done to us, but for and with us. A member offered that the letter to the Commissioner requested she make it a priority to advocate to the VT Legislators.

The group talked about the importance of a stable workforce, the value of self-advocacy, sub-contracted work, the use of technology and how do we incorporate this to support independence. Significant focus was placed on independent living. The Task Force believes technology could play a key role in promoting independence.

A member wondered if Commissioner Wehry responded to the letter. Camille reminded the group she responded. Camille stated that the Commissioner does hear the concerns and she is working on issues to support DAIL's mission.

A member would like to know what else advocates can do. Barb Prine stated VT Legal Aid has made many recommendations, and approximately 10% of recommendations are realized. Another member asked who has ultimate oversight. A member suggested DAIL has the responsibility. Another member was concerned that would there be enough funding to oversee these financial obligations and operations, further wondering if there was a commitment to oversight. A member expressed concerns about the State of Vermont retaining a reliable, educated, and committed workforce to deal with these issues and help move initiatives along. How does the State stabilize its workforce and provide continued levels of service?

Input about the report was solicited by Camille to share with Commissioner Wehry.

- Theresa took issue around Camille's opening statement around the struggle experienced by the task force. Camille acknowledged, noting the need for a clear mission of the Task Force along with agendas and a work plan would have been helpful.
- Concerns around budget cuts still exist.
- The recommendations were not much different than what DAIL is presently doing. Theoretically it could be that we like our system so much or trying to think ahead 20 years was too much.
- Joe Greenwald would like to review the report with Commissioner Wehry, i.e. invite her to a meeting. Another member stated that possibly inviting Julie Tessler from Council on Developmental and Mental Health Services? Other members would like the Commissioner to come to the December meeting to discuss. Jenn will check Commissioner Wehry's availability. *(Post note: Commissioner Wehry will be joining the SPSC at the December meeting to hear input on the Task Force Report directly.)*
- One member expressed frustration, as Task Force (TF) members came up with great ideas, but has mixed feelings about it, as she had a sense that people didn't want to fix something that isn't broken. Some of the good recommendations were around employment. The TF brought to light some interesting problems around housing. She is thankful it is in print, to drive the vision. She would like to see the next steps, for example, supported living task force for independent living.
- A Task Force member wished that there were a more creative process to help imagine Vermont as a whole. This member felt the TF was weighed down by consensus, rather than taking all brainstorming about the future under advisement. Some good and radical ideas were generated by some member, but they didn't make the cut.
- There were competing dynamics that lacked clear motive with guided mission. There were two different trains of thought about the direction and responsibilities of the task force.
- The process seemed scripted and less about creative.

SPSC Vacancy Update

DDSD confirmed there were no State Program Standing Committee vacancies.

The DAIL Advisory Board currently has a vacancy. If you are interested, please contact Lisa Parro at DAIL 802-871-3346. The DAIL Advisory Board was established by legislation and serves as the advisory body for the whole department. Members are appointed by the Governor and are made up of those who represent the interests of older adults, of people with disabilities and from geographic regions.

DDSD Budget Update

Camille has no new reports, but wanted to acknowledge the committee's interest and concerns and there have been some new, not rosy projections. No decisions have been made, but Camille would like input and will take recommendations under advisement. It would help in making decisions.

A member wondered about the process with impending legislators reconvening in January. If changes were to be made this year, then it could be changed after the legislature reconvenes. Legislators wanted input from program advocates. Theresa stated the letter the committee generated would go out tomorrow in response to the request for budgetary needs.

A group, including Bill Ashe, with Jim Reardon (Department of Finance and Management) and reported that it was a positive experience and that Mr. Reardon was aware of the concerns of advocates for mental health and developmental disabilities in Vermont.

A member inquired about across the board cuts. Other members stated that State of Vermont's \$11 million dollar deficit, coupled with \$100 Million forecasted budget cuts across the state were cause for concern. The Governor has not given a firm date for a decision about whether there will be an additional rescission during the current state fiscal year (SFY 15).

A member thanked Camille for all her hard work around the budget and acknowledged how difficult it must be to do this challenging work. Camille acknowledged how difficult this process is and affirmed she doesn't take these issues lightly and knows these possible budget cuts may impact on the people who receive services, their families, providers and other community partners. When various proposals are put forward, Departments indicate what they think the impact of a particular change will be.

Children's Personal Care Services (CPCS) Update

A motion was requested to table the discussion for the January 2015 SPSC meeting, rather than December 2014. Camille did provide the following brief update:

700 letters have gone out to families that there is a pending needs assessment. Children who have Unified Service Plan (USP) will not be reassessed for personal care services at this time. Once the individual assessment is completed, families have 90 days to appeal the process. There is not a formal process for tracking what happens to those not served. Recommendations for childcare, respite and behavior supports (are examples) as well as, connecting to the Designated Agency (DA) and Childcare Resources. Last year, 1,900 children received services through Children's' Personal Care. VDH has

conducted trainings for those who will be completing the assessments. A member would like to know how many people are ineligible and if there is a way to track them.

Agenda for December:

- Barb Prine will give update on health reform and any response that was provided to the letter sent by Vermont Legal Aid
- Budget Report, if new news.
- Follow Up Details of One Time Funding
- In person input on the DDS *Imagine the Future* Task Force Report with Commissioner Wehry, if available.

Meeting Adjourned: 12:05 p.m.